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Obstacles to Law Enforcement Against Trademark Infringement in E-Commerce Transactions: A Study of the Effectiveness of Law Number 20 of 2016 concerning Trademarks and Geographical Indications

Eko Bambang Rahmono[1], Edy Mulyanto[1], Desi Ratnasari[1]

[1] Universitas Pamulang, Indonesia

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ABSTRACT

This study examines the challenges of enforcing trademark law in Indonesia amid the rapid growth of e-commerce. Trademark infringement in digital transactions not only causes economic losses for brand owners but also exposes limitations in the effectiveness of Law Number 20 of 2016 concerning Trademarks and Geographical Indications. Using a normative juridical method with legislative, conceptual, and case approaches, the research analyzes primary legal materials (laws and court decisions), supported by secondary and tertiary sources. Data are analyzed qualitatively through reduction, presentation, and conclusion drawing. The findings reveal several key obstacles. First, technical barriers include limited infrastructure and inadequate digital forensic capabilities to detect and prove online violations. Second, capacity constraints arise from the insufficient understanding of law enforcement officials regarding technology-based infringement models. Third, jurisdictional complexities and cross-border trade present significant challenges, as e-commerce transactions often involve multiple legal systems, leading to conflicts of jurisdiction. The study concludes that the effectiveness of Law Number 20 of 2016 remains limited in addressing trademark protection in the digital era. To improve enforcement, it recommends strengthening derivative regulations, enhancing the technical and legal capacity of law enforcement agencies, and fostering international cooperation to address cross-border legal issues. These measures are essential to ensure more effective trademark protection in Indonesia's evolving digital economy.

Corresponding Author:
Eko Bambang Rahmono
Universitas Pamulang, Indonesia; dosen03195@unpam.ac.id

1. INTRODUCTION

The development of electronic commerce (*e-commerce*) in Indonesia in the last decade has experienced a spectacular acceleration. Online transactions driven by internet penetration, the growth of smartphone users, and the platform's business model open up wide market opportunities for microscale business actors to multinational corporations. However, this digital transformation has also widened the field of intellectual property rights conflicts, especially trademark infringement which now does not only occur in the physical market but is also widespread in hundreds of thousands of stores and product listings in *platform e-commerce*. Trademark infringement in *e-commerce* It can be in the form of the sale of counterfeit goods (*counterfeit*), unauthorized use of the mark in product images or descriptions, to the practice of "*trademark bullying*" or the use of another party's brand in marketing strategies that mislead consumers. Cases involving *platform* shows that this problem is not only a matter of technical breaches, but also systemic economic and consumer protection impacts.(Reuters, 2024)

The development of information and communication technology has changed the face of trade globally, including in Indonesia. *E-commerce* It is now one of the main drivers of digital economy growth, with transaction value continuing to increase from year to year. According to the Bank Indonesia report, the value of transactions *e-commerce* in 2024 it will reach more than IDR 500 trillion, and this figure is projected to continue to increase as internet users in Indonesia increase. However, behind this growth, there is also a big challenge in the form of rampant infringement of intellectual property rights, especially brands.(Bank Indonesia, 2024)

Normatively, Indonesia already has a legal umbrella that regulates trademarks, namely Law Number 20 of 2016 concerning Trademarks and Geographical Indications (hereinafter: the 2016 Trademark Law). This law establishes a registration mechanism, exclusive rights of brand owners, and sanctions for violators. However, a practical question arises: to what extent is this regulation effective when violations occur in a multi-actor digital platform environment (third-party vendors, platform managers, logistics providers, and/or hosting parties), Many studies and practice reports assess that there is a gap between the provisions of the Act and reality *e-commerce* dynamic for example, there are no clear implementing rules regarding platform accountability, fast procedures (*take-down*) effective, and harmonization between criminal, civil, and administrative aspects. This condition encourages a discourse on revision and renewal of regulatory approaches to respond to digital challenges.(El, 2025)

In the realm of enforcement, several technical and institutional challenges have emerged. First, the cross-regional and often cross-border nature of the *listing e-commerce* making it difficult to determine authority and carry out investigations or execution of decisions. Second, electronic evidence (*screenshots*, *metadata listing*, transaction evidence) are vulnerable to being omitted or altered so that the evidentiary process requires digital forensic capacity and stronger evidence maintenance procedures. Third, the business model *platform* which places the intermediary as "*Hosting*" or "*marketplace*" raises a debate about when *platform* should be treated as a responsible party and when only as a facilitator this issue is closely related to the standard of negligence and the proactive obligation to remove the content/recording of violations. Fourth, limited resources for enforcement officials and lengthy litigation processes make legal protection expensive and slow, so that small brand owners (MSMEs) are often unable to access formal settlement mechanisms.(Indrawati, Susilawati, & Handoyo, 2025)

Law enforcement officials, both the police, prosecutor's office, and judges, do not fully have an adequate understanding of digital transaction mechanisms and the complexity of proving in *e-commerce disputes*. This limited capacity has an impact on the slow and convoluted legal process, thereby reducing the effectiveness of the legal protection promised by the 2016 Trademark Law.

In addition to technical and juridical constraints, there are also policy and regulatory challenges. Domestic regulators are faced with the need to balance IP protection with the development of a competitive digital ecosystem; on the other hand, several antitrust enforcement and business competition involving *e-commerce platforms* show that *platform compliance* issues with regulations are not only IP but also business practices that can affect the availability of evidence and access to rights restoration for brand owners. Therefore, efforts to improve the effectiveness of the 2016 Trademark Law appear to require a combination of: revision of substantive legal norms and the adoption of alternative enforcement mechanisms (*e.g., rapid take-down procedures*, IP-specific ADRs, platform-government cooperation), as well as strengthening the capacity of enforcement officials and *judicial literacy* in the field of technology.

The effectiveness of protecting and countering intellectual property rights infringement in Indonesia can be considered rather low. This is based on information provided by the United States Trade Representative (USTR) in Special Report 301, published on April 26, 2023, which states that Indonesia is one of the countries on the Surveillance Priority List (*Priority Watch List*/PWL). Since 2018, Indonesia has consistently shown this status. Through the description above, it can be seen that the intellectual property rights of the Indonesian people are quite strong, ranging from copyrights, patents, and industrial designs to trademark rights.(Fitriani, Imadatul, Inayah Maulia, 2025) This condition weakens legal protection because the burden of proof is entirely on brand owners, who often do not have adequate resources to monitor thousands of product offerings on digital platforms.

The empirical gap between legal provisions and enforcement practices in the digital market is the pressure point of this study. Previous studies have tended to highlight common phenomena and solutions, but few have comprehensively mapped the operational constraints of brand enforcement on transactions *e-commerce* in Indonesia with a focus on evaluating the effectiveness of the provisions of Law No. 20 of 2016 concerning Trademarks and Geographical Indications. This research aims to fill these gaps by: (1) mapping legal and non-legal obstacles that hinder enforcement; (2) assess whether the mechanisms and sanctions in the 2016 Trademark Law are adequate to deal with violations in the digital domain; (3) formulate recommendations for concrete policy reforms (amendments to norms, procedures *takedown*, the role of platforms, and support for MSMEs). The results of the study are expected to provide empirical input to policymakers (including DJKI), enforcement officials, and platform stakeholders so that brand rights enforcement in the digital era becomes more effective and fair.(Daw, 2025)

2. METHODS

This study uses a type of normative juridical research with a qualitative approach. Normative juridical research focuses on the study of positive legal norms, namely Law Number 20 of 2016 concerning Trademarks and Geographical Indications, as well as regulations related to brand protection in *e-commerce* transactions. This approach is combined with *qualitative descriptive* analysis to describe the constraints of law enforcement in practice, especially regarding the effectiveness of the application of the law against trademark infringement cases in the digital realm. In this study, several approaches were used, including; Statute *Approach*, *Conceptual Approach*, Case *Approach*. Data collection techniques are carried out in several ways, namely through: Library Research, Documentation Studies, in the form of reviewing documents of trademark infringement cases in *e-commerce transactions*.

3. FINDINGS AND DISCUSSION

A. Legal Regulations on Trademark Protection in E-Commerce Transactions Based on Law Number 20 of 2016 concerning Trademarks and Geographical Indications

On June 30, 2025, the North Jakarta Resort Police Resmob team conducted an investigation in the Kapuk area, the border area between Tangerang Regency and the North Jakarta Administrative City. The police conducted a search related to Information Reports on Consumer Protection and Health who were harmed by cosmetic brand products.

Based on Information Report No. LI/711/VI/2025/Reskrim, dated June 30, 2025 and Investigation Warrant Number: Sp.Lidik/2478/VI/RES.5.1./2025.Reskrim dated June 30, 2025 that there are allegations about products that do not have a distribution permit and registered brand counterfeiting sold online on the shoppe platform. From this basis, the company visited by the police is the company PT. Beuty Link cosmetics with products sold are hair dye, nail polish, perfume and other cosmetic tools. The police confiscated evidence in the form of raw materials for making hair dye, nail polish, perfume and other cosmetic tools that had expired and soap bars that did not have a distribution permit.

After an investigation was carried out by calling the director of the company to clarify that all the products owned already had distribution permits, registered trademark rights protection, and deeds of establishment. The confiscated goods to be used as evidence have indeed expired, but they have been re-checked by BPOM (Food and Drug Supervisory Agency) and are still being reused as evidenced by the Notification Renewal Notification Number NA18181500007. from BPOM. The Company that allegedly sells Beuty link brand products on the Shoope form plate has harmed consumers and the Health Law.

That after checking the *plate form* by the Company PT. Beuty Link has the same brand for sale in *the form* shoppe plate. It is suspected that the product has been imitated, counterfeited and circulated online . Counterfeit products that are sold only have a difference in the substance of the word but have the same pronunciation sound in the main thing, namely "Beuty Link" and "Beouti Link". The counterfeit product uses the name PT. Beuty Link with the same address as the original product on the packaging. So that when there is a victim from an aggrieved consumer and reports to the Law Enforcement Officers, the address that is going to be the address that has the original product, namely PT. Beuty Link that does not have the legitimacy of the Company and a Certificate of brand protection. The Director, the HRD section and the Laboratory section of PT. Beuty Link has been investigated by the North Jakarta Metro Police on suspicion of criminal acts as regulated by the Consumer Protection and Health Law on brands sold through E-commerce Plat forms . Through an invitation for clarification and BAP has been carried out by the Police, there has been no follow-up or even all allegations made by PT. Beauty Link has not found a bright spot for its criminal element because the data requested by police investigators exists and is in accordance with the procedures provided by the law.

The explanation of trademarks as stated in Article 1 Number 1 of Law Number 20 of 2016 concerning Trademarks and Geographical Indications, determines that:

> "A trademark is a sign that can be displayed graphically in the form of an image, logo, name, word, letter, number, color arrangement, in the form of 2 (two) dimensions and/or 3 (three) dimensions, sound, hologram, or a combination of 2 (two) or more of these elements to distinguish goods and/or services produced by persons or legal entities in the trading of goods and/or services."

The trade of products and services is brand-driven. As a result, business owners use brands to continuously maintain the best quality of the goods and services they offer. The purpose of these goods and services is to stop unfair competition from those who deliberately copy or counterfeit well-known brands for their own benefit.(Made, Sutari, Law, & Warmadewa, 2020)

Development of trading transactions through electronic systems (*e-commerce*) has brought significant legal consequences to the protection of intellectual property rights, in particular trademarks.(Augustine, 2020) Significant legal implications for the defense of intellectual property rights, particularly those related to trademarks, have arisen as a result of the growth of trade transactions conducted through electronic systems, or *e-commerce*. The alleged distribution of beauty products under the trademarks "Beuty Link" and "Beouti Link" through *platform* Shopee describes the difficulty of applying trademark law in the digital realm, as shown in the case of PT. Only those who have legally registered their trademarks at the Directorate General of Intellectual Property are entitled to trademark rights, as confirmed by Law Number 20 of 2016 concerning Trademarks and Geographical Indications. The main cornerstone of legal protection for the use of trademarks in all types of trade, including electronic commerce, is the ownership of trademark certificates.

In addition, Article 21 paragraph (1) letter a of the MIG Law prohibits the use of trademarks that are essentially identical to the registered trademarks of other parties. In trademark law doctrine, "essential similarity" refers to similarities in sound, impression, and pronunciation that can deceive customers in addition to visual similarities. In the case of Beauty Link, there is a clear sign of bad faith when the name and address of PT. Beauty Link is listed on the product packaging along with the trademark "Beouti Link," which is phonetically identical in pronunciation. The requirements of the MIG Law for honest and healthy business competition are normatively contrary to such behavior.

The investigation by law enforcement officials against PT. Beauty Link began with claims of selling goods without distribution permits and the use of expired ingredients, which raised concerns about consumer protection and health. However, clarifications and inspection findings show that PT. Beauty Link can prove the legitimacy of its operations by showing a distribution permit and renewal notice from the Food and Drug Regulatory Agency, along with a registered brand. This condition shows that the elements of error (*mens rea*) required in the criminal law are not met, so that PT. Beauty Link cannot be held criminally liable for the alleged violation. Instead, companies are in a position to be victims of brand counterfeiting that has an impact on consumer reputation and trust.

In the context of law enforcement, the inspection conducted by the North Jakarta Metro Police reflects the application of the *due process of law*, where the determination of the existence of a criminal act must be based on sufficient evidence and the fulfillment of the elements of delicacy. The absence of criminal elements against PT. Beauty Link strengthens the argument that the main problem lies in the misuse of the brand by third parties in the *platform e-commerce*. Therefore, brand protection in electronic transactions not only relies on criminal and civil law enforcement, but also requires an active role *platform marketplace* in carrying out supervision, the decrease (*take down*) counterfeit products, as well as cooperation with registered trademark owners.(Fernaldi, Agustin, Sari, Maf'ula, & Nizan, 2025)

Conceptually, the legal regulation of trademarks in *e-commerce* based on the MIG Law aims to provide legal certainty, protect brand owners in good faith, and prevent consumer losses due to the circulation of counterfeit goods.(Nugroho, 2022) In the case of Beauty Link, the application of the MIG Law shows that legal protection for registered trademarks remains in full force even though violations are committed through electronic media. Thus, the MIG Law has provided adequate legal instruments to tackle brand counterfeiting in the digital era, as long as it is supported by strong evidence and synergy between stakeholders.

The MIG Law adheres to the *principle of first to file*, namely the right to a trademark is given to the party who first registers the trademark legally. Article 3 of the MIG Law affirms that, "the right to a trademark is acquired after the trademark is registered. The juridical consequence of this principle is that the registered trademark owner acquires the exclusive right to use his trademark and prohibits other parties from using the same or substantially similar mark."

Trademark certificates, deeds of incorporation of the company, and cosmetics distribution licenses have all been proven to be owned by PT. Beauty Link in the case of Beauty Link. As a result, PT. Beauty Link is a legal company with full legal protection rights to its trademarks. The use of trademarks across all *offline* and *online* distribution channels is protected by this exclusive right. Therefore, it is a violation of trademark law for someone else to use a similar trademark or imitate the Beauty Link trademark without permission.

One of the central issues in this case is the use of the trademark "Beouti Link" which has similarities in sound and pronunciation with the trademark "Beuty Link". Article 21 paragraph (1) letter a of the MIG Law prohibits the registration and use of trademarks that have similarities in principle with registered trademarks belonging to other parties. The doctrine of trademark law interprets the similarity essentially not only from a visual point of view, but also from a phonetic and conceptual point of view, especially if it can create the same impression in the minds of consumers.

The use of the company name PT. Beauty Link and the same address on the packaging of the fake product indicate bad faith. Article 21 paragraph (3) of the MIG Law expressly states that, "a trademark application must be rejected if it is submitted in bad faith." In the context of *e-commerce*, this bad faith is increasingly evident because the main goal of the perpetrators is to deceive consumers by taking advantage of the reputation of a brand that has been known in the market.

The Beauty Link case also intersects with the issue of consumer protection and health, considering that the product in question is cosmetics. The initial allegations of law enforcement officials regarding the circulation of products without distribution permits and the use of expired materials must be carefully analyzed. Criminal law requires the existence of elements of guilt (*mens rea*) and unlawful acts (*actus reus*). The clarification allows PT. Beauty Link to show that its products have received a revised notification from the Food and Drug Supervisory Agency (BPOM) and a distribution license. This proves that the company has complied with its legal obligations administratively and normatively. Therefore, PT. Beauty Link does not meet the requirements for defects that could result in criminal liability. In fact, the main cause of possible consumer losses and miscommunication between law enforcement and consumers is the existence of counterfeit goods with identical labels.

Examination of the Director, HRD, and Laboratory section of PT. Beauty Link by the North Jakarta Metro Police is part of a legitimate law enforcement mechanism. However, the absence of criminal elements after the Examination Report (BAP) was carried out shows that the legal process has been carried out according to the principle *of due process of law*. Law enforcement must not only be based on public reports, but must be supported by sufficient evidence and the fulfillment of the elements of the crime in its entirety. In this context, PT. Beauty Link should be positioned as a victim of brand counterfeiting, not as a perpetrator of a criminal act. Mistakes in identifying trademark infringers can have implications for reputational and business losses for legitimate trademark owners.

Although the MIG Law focuses more on the relationship between brand owners and infringers, the development of *e-commerce* requires an active role of marketplace platforms. Marketplaces have a moral and juridical obligation to prevent the circulation of counterfeit branded goods through internal supervision systems, reporting mechanisms, and *take down policies*. In the case of Beauty Link, the circulation of fake products through *e-commerce platforms* shows the weakness of the seller's verification system. Therefore, brand protection in *e-commerce* must be understood as a collective responsibility between brand owners, law enforcement officials, and electronic system operators Based on the MIG Law, PT. Beauty Link has several legal remedies, including:

1. Civil lawsuit for trademark infringement to obtain compensation;
2. Criminal reports against perpetrators of brand counterfeiting;
3. Application for removal and removal of counterfeit products on the marketplace;
4. Protection of business reputation through legal and administrative clarification.

These measures show that the MIG Act has provided a sufficiently comprehensive legal instrument to protect brands in transactions *e-commerce*, as long as the trademark owner is able to prove its rights and legality. In the framework of the literature, Soelistyo said that the biggest challenge in the enforcement of intellectual property law is the unpreparedness of the legal system in responding to the speed of digital technology development.(Soelistyo, 2018) Law enforcement against trafficking *ecommerce* It is highly determined by the performance of law enforcement apparatus involved in three important elements that greatly affect it, namely (i) law enforcement institutions and various supporting facilities and infrastructure and institutional mechanisms, (ii) work culture related to their apparatus, including the welfare of their apparatus and (iii) regulatory apparatus that supports both their institutional performance and those that regulate legal materials that are used as work standards, both the material law and the procedural law.(Erma & Tulim, 2019)

B. The Effectiveness of Law Number 20 of 2016 in Providing Legal Protection for Brand Owners in E-Commerce Transactions

Legal regulation in Indonesia on liability *platform e-commerce* The circulation of illegal or non-standard products still shows significant normative weaknesses.(Ishep, 2025) Electronic-based transactions, or *e-commerce*, has significantly replaced traditional transaction systems as a result of the digital transformation of the trade sector. *Platform* for digital marketplaces allows companies to advertise their merchandise quickly, widely and internationally. However, the widespread use of highly similar trademarks, trademark piracy, and the widespread distribution of counterfeit branded goods, pose significant obstacles to trademark legal protection despite this convenience. In this case, the owner of a trademark in good faith relies on the legal effectiveness of the trademark to provide them with legal clarity.

Until now, Law No. 8 of 1999 concerning Consumer Protection (UUPK) and Regulation of the Minister of Trade No. 50 of 2020 have not explicitly regulated the limits of legal liability *platform e-commerce.*(Tamaela, 2025) In addition to causing financial losses, trademark infringement in transactions *e-commerce* may result in additional legal issues, including consumer protection claims and health issues, as illustrated by the case of PT. Beauty Link. Use of trademarks that are very similar to registered trademarks in the sale of counterfeit goods in *platform* Shopee shows how brand counterfeiters have turned the internet into a planned tool to mislead customers.

Basically, the effectiveness of a law is determined by its ability to apply, enforce, and provide real protection for the subject of the law, in addition to the existence of written rules. According to Soerjono Soekanto, a number of elements affect the effectiveness of the law, such as the content of the law, the organization of law enforcement, infrastructure and facilities, society, and legal culture. Using this theoretical framework, a thorough analysis of the effectiveness of Law Number 20 of 2016 is needed in the context of *e-commerce*, taking into account normative and implementive factors. Therefore, many business owners try to fulfill the wishes of buyers by selling a product with a famous logo (*Branded*) without permission from the trademark owner (*fire*)).(Thalib, Putu, & Meinarni, 2021)

Trademark law clearly protects registered trademarks, as demonstrated in the case of Beauty Link. On the other hand, the distribution of counterfeit goods over the internet shows a gap between the actual state of affairs and regulatory requirements. This raises the question of how effective the MIG Act is in stopping and punishing trademark infringement in the marketplace *online*. Normatively, trademark protection is regulated by Law No. 20 of 2016 as a whole, from registration and use to the prosecution of trademark infringement. Article 1 number 5 of the MIG Law defines a trademark as a mark that can be displayed graphically and used in trade activities of goods and/or services. This formulation is technologically neutral, so it implicitly includes the use of a brand in a transaction *e-commerce*. The digital nature makes it easier to spread counterfeit goods, reduces the cost of creating fake stores, and allows perpetrators to operate anonymously or move platforms so that it is difficult to identify the perpetrator.(Associate, 2024)

Articles 21 and 100 of the MIG Law, which prohibit the use of identical or very similar trademarks, provide trademark owners with a strong legal basis to sue infringers. Because PT. Beauty Link can be legally established as the legal trademark holder, this legal substance has succeeded in protecting registered trademark owners in the context of Beauty Link. Therefore, it can be concluded that the MIG Law is very effective and adaptable to the growth of internet commerce in terms of its legal substance.

The effectiveness of the MIG Act largely depends on law enforcement by the competent institutions, even if the legal content is adequate. The police investigation in the Beauty Link case was carried out with caution in identifying the alleged guilty legal entity. After explanation and analysis of the documents, no criminal elements were found against PT. Beauty Link, which shows that law enforcement prioritizes fair legal process and prudence.

However, the effectiveness of law enforcement against trademark counterfeiters in e-commerce still faces various obstacles, such as the anonymity of online sellers, across jurisdictions, and limited supervision of marketplace activities. This causes trademark counterfeiters to often be difficult to track and process legally, so that the preventive goals of the MIG Law have not been fully achieved.

Law No. 20 of 2016 has not explicitly regulated the responsibility of *marketplaces* in brand protection. However, in the context of *modern e-commerce*, *marketplaces* have a strategic position as an intermediary between sellers and consumers. Therefore, the effectiveness of brand protection cannot be separated from the active role *of marketplaces* in supervising, verifying sellers, and handling reports of brand infringement.

In the case of Beauty Link, the existence of fake products using the "Beouti Link" brand indicates that the marketplace supervision mechanism still has loopholes. This has an impact on weak preventive protection for brand owners. Thus, although the MIG Law has been normatively effective, its practical effectiveness in *e-commerce* requires the support of derivative regulations and stricter internal marketplace policies.

The effectiveness of brand protection can also be measured by the extent to which brand law is able to protect consumers from misleading trade practices. In the case of Beauty Link, the use of fake brands not only harms the brand owner, but also has the potential to harm consumers because the quality and safety of the product cannot be guaranteed. The fact that PT. Beauty Link has a distribution license and a renewal notification from the Food and Drug Supervisory Agency (BPOM) shows that the company has fulfilled its legal obligations.

However, the existence of fake products in *e-commerce* makes it difficult for consumers to distinguish between genuine and fake products. This shows that the effectiveness of the MIG Law in protecting consumers indirectly still needs to be strengthened through integration with consumer protection and health regulations.

From the aspect of law enforcement, the examination by the police against PT. Beauty Link shows that the MIG Law is relatively effective in providing repressive protection. The absence of a criminal element against registered trademark owners confirms that trademark law is able to protect well-meaning legal subjects from baseless accusations. However, this effectiveness has not fully touched brand counterfeiters who operate through electronic systems, so the prevention goal is not optimal. Many cases of violations involve perpetrators from *Jurisdiction* which often complicates the litigation process. In addition, differences in interpretations of trademark rights laws in different countries make regulatory harmonization a must. International treaties such as TRIPS and the Berne Convention provide a basic framework, but their implementation requires adaptation to the local context.(Smith, 2022)

In addition, the effectiveness of the MIG Law is also influenced by the role of the marketplace as an electronic system operator. Although the MIG Law does not explicitly regulate marketplace responsibilities, in *modern e-commerce* practices , *digital platforms* have a strategic position in controlling the circulation of branded goods. The weak internal monitoring mechanism of *the marketplace* can reduce the effectiveness of brand protection, because violations are only acted upon after a report from the brand owner or consumer.

Based on the above analysis, it can be concluded that Law No. 20 of 2016 is relatively effective in providing normative legal protection to registered trademark owners. However, this effectiveness is not fully optimal in transaction practices *e-commerce.* The main weakness lies in the preventive and law enforcement aspects of brand counterfeiters in the digital space. Therefore, synergy between the MIG

Law, regulations and regulations *e-commerce*, and internal policies *marketplace* to create more effective brand protection. The regulation must include proactive obligations *platform* in verifying the legality of the product, transparency of seller information, and administrative or civil sanctions for violations that occur. With this approach, the law will be able to function as a social engineering tool that not only protects consumer rights, but also ensures fairness in the digital commerce ecosystem.(Hi Year Su, 2025) Therefore, there is an urgent need to formulate and enforce new regulations that expressly regulate legal responsibilities *platform e-commerce.*(Abdul, Wiyono, & Kurniawan, 2025)

4. CONCLUSION

The effectiveness of Law Number 20 of 2016 in providing legal protection to brand owners in *e-commerce* transactions, as reflected in the case of Beauty Link, shows that normatively this law has provided a strong basis for protection. However, its practical effectiveness still faces serious challenges due to technological developments and the complexity of electronic transactions. Therefore, strengthening implementation and synergy between stakeholders is the main key in realizing effective brand protection in the digital era.

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